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**MEMO ENDORSED**  
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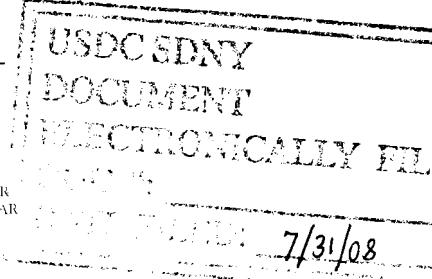
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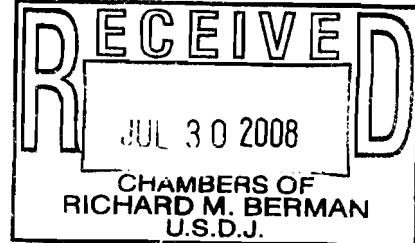
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July 30, 2008

Via Hand Delivery

Honorable Richard M. Berman  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, New York 10007



RE: Andrea Emanuel v. State of New York, et al.  
Docket No.: 08 CV 1250

Your Honor:

This office represents the Plaintiff with regard to the above-referenced matter.

This office respectfully requests an extension of time to file opposition papers to Defendants' Partial Motion to Dismiss. Plaintiff's Opposition papers are due to be served on the Defendants on August 1, 2008. Due to unforeseen matters that I needed to attend to this past week and the fact that I will be out of the office all of next week (week of August 4-8), I respectfully request an extension to submit opposition papers to August 21, 2008. I have spoke with Assistant Attorney General Julinda Dawkins and she has consented to this extension. Should said request be granted, Plaintiff consents to extend Defendants' time to reply to Plaintiff's Opposition papers to September 18, 2008 due to the fact that Ms. Dawkins will be away on vacation for two weeks in the month of August. This is Plaintiff's second request for an extension of this motion.

Thank you for your anticipated consideration herein.  
Should you have any questions, please feel free to contact the  
undersigned.

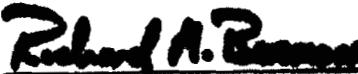
Respectfully yours,



Rocco G. Avalione

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Cc: Juliinda Dawkins, Esq. AAG

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| <u>Extension(s) Granted.</u>   |         |
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| SO ORDERED,<br>Date:   | 7/30/08 |
| <br>Richard M. Berman, U.S.D.J. |         |